

12-22-05

In the United States Patent & Trademark Office

In re application of: Charles Moody

Serial Number: 10/602,864

) Attorney Docket: 361.2868

Filed: June 25, 2003

) Examiner: Mah, Chuck

) Group Art Unit: 3676

For: Sanitary Door Opener

RESPONSE

The Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In response to the outstanding office action dated August 19, 2005, a Terminal Disclaimer is submitted herewith.

The Examiner has withdrawn the indicated allowability of claims 12-20 in view of Applicant's pending continuation-in-part application 10/837,678. The submitted Terminal Disclaimer disclaims the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/837,678.

It is believed that with the filing of the Terminal Disclaimer, the application is in condition for allowance and such action is respectfully requested.

If the Examiner has any questions regarding this response, he is asked to contact the Applicant's attorney at 302-227-2364.

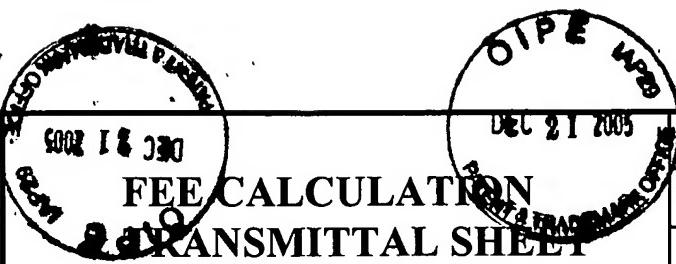
01/12/2006 SDENBOB1 00000030 501014 10602864
02 FC:2252 225.00 DA

Respectfully submitted,


Peter A. Borsari
Registration Number 32,114

3 South Fieldway
Rehoboth Beach, DE 19971
302-227-2364
302-227-5933 (fax)

Date: December 20, 2005



**FEE CALCULATION
TRANSMITTAL SHEET**

TOTAL AMOUNT OF PAYMENT: \$225.00

Application Number	10/602,864
Filing Date	June 25, 2003
First Inventor	Charles Moody
Group Art Unit	3676
Examiner Name	Mah, Chuck
Attorney Docket	361.2868

METHOD OF PAYMENT

Payment Enclosed: Check # _____

The Commissioner is hereby authorized to charge \$225.00 and any additional fees required under 37 CFR 1.16, 1.17 and 1.20 and credit any overpayments to:

Deposit Account Number: 54-1014

Deposit Account Name: Borsari & Associates

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Description	Fee Paid
<input type="checkbox"/> Surcharge - late filing fee or oath	_____
<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	_____
<input type="checkbox"/> Non-English specification	_____
<input type="checkbox"/> For filing a request for <i>ex parte</i> reexamination	_____
<input type="checkbox"/> Requesting publication of SIR prior to Examiner action	_____
<input type="checkbox"/> Extension for reply within first month	_____
<input checked="" type="checkbox"/> Extension for reply within second month	\$225.00
<input type="checkbox"/> Extension for reply within third month	_____
<input type="checkbox"/> Extension for reply within fourth month	_____
<input type="checkbox"/> Notice of Appeal	_____
<input type="checkbox"/> Filing a brief in support of an appeal	_____
<input type="checkbox"/> Request for oral hearing	_____
<input type="checkbox"/> Petition to Revive - unavoidable	_____
<input type="checkbox"/> Petition to Revive - unintentional	_____
<input type="checkbox"/> Petitions to Commissioner	_____
<input type="checkbox"/> Processing fee under 37 CFR 1.17q	_____
<input type="checkbox"/> Submission of Information Disclosure Stmt	_____
<input type="checkbox"/> Assignment Recordation Fee	_____
<input type="checkbox"/> Request for Continued Examination	_____
	SUBTOTAL (3) \$225.00

1. BASIC FILING FEE

<u>Fee Description</u>	<u>Fee Paid</u>
Utility filing fee	\$375.00
Design filing fee	
Plant filing fee	
Reissue filing fee	
Provisional filing fee	
SUBTOTAL (1)	\$000.00

2. EXTRA CLAIM FEES

Extra Claims	Fee	Fee Paid
Total Claims xx - 20 = xx	x \$ 9.00 =	\$ 00.00
Independent Claims xx - 03 = xx	x \$40.00 =	\$ 00.00
	SUBTOTAL (2)	\$ 00.00

SUBMITTED BY:

SIGNATURE:

Peter A. Borsari, Registration Number: 32,114

Date: December 20, 2005

DEC 21 2005

**TRANSMITTAL FORM
FOR PATENTS**

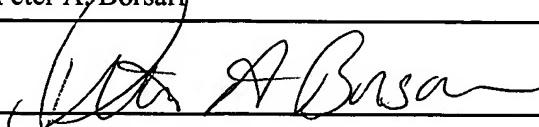
(to be used for all correspondence after initial filing)

Application Number	10/602,864
Filing Date	June 25, 2003
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Examiner Name	Mah, Chuck
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ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declarations(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an application)</i> <input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD's _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) <i>(please identify below)</i>
Remarks		

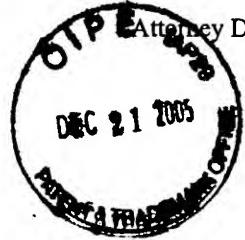
SIGNATURE OF APPLICANT, AGENT OR ATTORNEY

Firm or Individual Name	Peter A. Borsari
Signature	
Date	December 20, 2005

BORSARI & ASSOCIATES, P.C.

PATENTS ■ TRADEMARKS ■ COPYRIGHTS

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In re: Charles Moody
Serial No: 10/602,864
Title: Sanitary Door Opener

CERTIFICATE OF MAILING

I hereby certify that the correspondence attached hereto is being deposited by me with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 and is addressed to Mail Stop ~~New Applications~~, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the following date: December 21, 2005

A handwritten signature in black ink, appearing to read 'Peter A. Borsari'.

Peter A. Borsari

12-21-05

Date